

Public Document

No. 56

614,24M3  
B665r  
1917  
A

TWENTY-FOURTH ANNUAL REPORT

OF THE

BOARD OF REGISTRATION  
IN MEDICINE.

FOR THE YEAR ENDING DECEMBER 31, 1917.



BOSTON:  
WRIGHT & POTTER PRINTING CO., STATE PRINTERS,  
32 DERNE STREET.  
1918.



TWENTY-FOURTH ANNUAL REPORT

OF THE

*Mass:*

BOARD OF REGISTRATION  
IN MEDICINE.

FOR THE YEAR ENDING DECEMBER 31, 1917.



STATE LIBRARY  
OF  
MASSACHUSETTS

BOSTON:  
WRIGHT & POTTER PRINTING CO., STATE PRINTERS,  
32 DERNE STREET.  
1918.

*R*

STATE LIBRARY OF MASSACHUSETTS

MAR 22 1918

STATE HOUSE BOSTON

PUBLICATION OF THIS DOCUMENT  
APPROVED BY THE  
SUPERVISOR OF ADMINISTRATION.

MASSACHUSETTS  
TO  
ST BOUNDARAN

614.24N3

B6652

1917.

a

## The Commonwealth of Massachusetts.

BOARD OF REGISTRATION IN MEDICINE,  
STATE HOUSE, Dec. 31, 1917.

To His Excellency SAMUEL W. McCALL, *Governor*.

SIR:—The Board of Registration in Medicine respectfully submits the following as its annual report for the year ending Nov. 30, 1917:—

### FINANCIAL STATEMENT.

#### *Appropriations.*

Salaries of the members of the Board, . . . .	\$4,300 00	
Incidental expenses of the Board, . . . .	575 00	
Clerical services, . . . .	1,150 00	
Additional appropriation for clerical services under chapter 323, General Acts of 1917, . . . .	100 00	
Contingent expenses, including printing annual report, rent of rooms outside of State House, etc., . . . .	1,475 00	
Additional appropriation for contingent expenses, . . . .	206 77	
		<hr/> \$7,806 77

#### *Expenditures.*

Salaries of members of Board, . . . .	\$4,300 00	
Incidental expenses of Board, . . . .	396 89	
Clerical services, including additional appropriation under chapter 323, Acts of 1917, . . . .	1,191 66	
Contingent expenses, including printing, office supplies, postage, etc., . . . .	1,681 77	
		<hr/> \$7,570 32

#### *Receipts.*

290 examination fees received, . . . .	\$5,800 00	
Interest on deposits in Merchants National Bank, paid into the treasury of the Commonwealth, . . . .	3 56	
		<hr/> \$5,803 56
Less fee of \$20 refunded to applicant who with- drew application, . . . .	20 00	
		<hr/> \$5,783 56

Since the establishment of the Board in 1894, the fees received from applicants for registration, and paid into the treasury of the Commonwealth, amount to \$148,744.61. The expenditures of the Board amount to \$145,858.35. In dollars and cents, therefore, the Commonwealth has received \$2,886.26 in excess of the total amount expended.

For the year ending Nov. 30, 1918, the Board recommends an appropriation of \$4,300 for salaries of the Board, \$575 for incidental expenses of the Board, \$1,250 for clerical service, and \$2,601 for printing, postage, office supplies and contingent expenses, including printing of the annual report, and the biennial Certified List of Registered Practitioners.

The number of persons applying for registration this year is 290, all of whom have been examined except 5, 1 having been withdrawn. The percentage registered on first examination is 79; on re-examination, 5.

The percentages acquired in each examination are shown by the following tabulations:—

APPLICANTS.	Examined.	Registered.	Rejected.	Percentage rejected.
March examination, . . . . .	49	32	17	34
May examination, . . . . .	36	19	17	47
July examination, . . . . .	144	117	27	11
September examination, . . . . .	42	22	20	47
November examinations, . . . . .	60	29	31	51
Special examinations for war service, .	31	31	—	—
	362	250	112	30+

The following tabulation is based upon the results in the first examination of applicants during the year covered by this report:—



MEDICAL INSTITUTIONS.	Number examined.	Number registered.	Year of Graduation of Rejected Applicants.
Tufts, . . . . .	71	66	1910-15-16-16-17.
Harvard, . . . . .	59	59	
Massachusetts College of Osteopathy, . .	34	12	1909-09-10-15-15-15-16- 16-16-16-16-16-16-16- 17-17-17-17-17-17.
Boston University, . . . . .	28	24	1911-16-17-17.
Physicians and Surgeons, Boston, . .	14	3	1910-13-13-14-15-15-16-16- 17-17-17.
American School of Osteopathy, . . .	10	8	1915-17.
Johns Hopkins, . . . . .	7	7	
Chicago College of Medicine and Surgery,	5	1	1915-15-15-16.
Philadelphia College of Osteopathy, . .	4	1	1915-15-17.
University of Vermont, . . . . .	4	4	
Foreign, . . . . .	4	1	1912-12-12.
University of Pennsylvania, . . . . .	4	4	
Des Moines College of Osteopathy, . . .	4	2	1917-17.
University of Maryland, . . . . .	3	2	1917.
Maryland Medical, . . . . .	3	1	1912-13.
Medico-Chirurgical, Philadelphia, . . .	3	3	
Jefferson, . . . . .	3	3	
University of Michigan, . . . . .	3	3	
McGill, . . . . .	3	3	
Bowdoin, . . . . .	3	2	1917.
Los Angeles College of Osteopathy, . . .	3	2	1917.
Loyola, . . . . .	2	1	1917.
Dartmouth, . . . . .	2	2	
Meharry Medical, . . . . .	2	-	1915-15.
Woman's Medical College, Pennsylvania, .	2	2	
Temple University, . . . . .	2	2	
New York Homœopathic, . . . . .	1	-	1916.
University of Oklahoma, . . . . .	1	-	1916.
Baltimore Medical, . . . . .	1	1	
University of Georgetown, . . . . .	1	1	
University of Georgia, . . . . .	1	1	
Howard University, . . . . .	1	-	1916.
University of Illinois, . . . . .	1	1	
Middlesex College of Medicine and Surgery,	1	-	1916.
Chicago College of Osteopathy, . . . .	1	1	
Louisville Medical, . . . . .	1	1	
Washington University, . . . . .	1	1	
University of Virginia, . . . . .	1	1	
University of West Tennessee, . . . . .	1	-	1916.

MEDICAL INSTITUTIONS.	Number examined.	Number registered.	Year of Graduation of Rejected Applicants.
Atlanta Medical, . . . . .	1	1	1914.
Maryland College of Medicine and Surgery, . . . . .	1	—	
Long Island College Hospital, . . . . .	1	1	
University of Louisville, . . . . .	1	1	
University of Kentucky, . . . . .	1	1	
Northwestern University, . . . . .	1	1	
Yale, . . . . .	1	1	
Missouri Medical, . . . . .	1	1	1914.
Eclectic Medical College, Cincinnati, . . . . .	1	1	
Physicians and Surgeons, Baltimore, . . . . .	1	—	
Detroit College of Medicine, . . . . .	1	—	1895.

Tabulations showing number of first examinations and average ratings of applicants from medical schools represented by not less than 3 applicants:—

MEDICAL INSTITUTIONS.	Number examined.	Average Ratings.
Tufts, . . . . .	71	77.8
Harvard, . . . . .	59	80.6
Massachusetts College of Osteopathy, . . . . .	34	69.8
Boston University, . . . . .	28	77.5
Physicians and Surgeons, Boston, . . . . .	14	68.2
American School of Osteopathy, . . . . .	10	71.1
Johns Hopkins, . . . . .	7	81.3
Chicago College of Medicine and Surgery, . . . . .	5	71.5
Philadelphia College of Osteopathy, . . . . .	4	65.2
University of Vermont, . . . . .	4	77.6
Foreign, . . . . .	4	67.0
University of Pennsylvania, . . . . .	4	81.9
Des Moines College of Osteopathy, . . . . .	4	71.6
University of Maryland, . . . . .	3	75.7
Maryland Medical, . . . . .	3	66.7
Medico-Chirurgical, Philadelphia, . . . . .	3	77.1
Jefferson, . . . . .	3	81.7
University of Michigan, . . . . .	3	81.2
McGill, . . . . .	3	82.1
Medical School of Maine, . . . . .	3	78.6
Los Angeles Osteopathic, . . . . .	3	74.1



Applications for registration must be made upon blanks furnished by the Board, and must be accompanied by a certified photograph of the applicant, and filed with the required fee not later than five days before the date of the examination. On receipt of an application properly executed, a ticket of admission is issued to the applicant, showing his application number and the date and place of the examination. No one is admitted to any examination except by ticket bearing date and place of examination. Tickets are issued to rejected applicants entitled to a re-examination when applied for not later than Thursday of the week next preceding date of an examination.

Three examinations yearly are provided by law, beginning, respectively, on the second Tuesday in March, July and November. Extra meetings for conducting examinations have been held beginning on the second Tuesday in May and in September.

The examinations are conducted in the English language only, and are intended to cover substantially the instruction given in the high-grade medical schools in this country. The subjects on which the examinations are principally conducted are anatomy and histology, physiology and hygiene, pathology and bacteriology, surgery, obstetrics and gynecology, diagnosis and therapeutics, pediatrics and toxicology.

The use of questions relating to materia medica and medical jurisprudence is gradually being incorporated into the examinations, but the attitude of the Board remains the same as shown in the statement in the preceding report, which was as follows: —

It was never intended to present questions which in form or substance would bear heavily on graduates of any school, for only those subdivisions of therapeutics which are recognized as useful by all practitioners would have been employed, and, moreover, any candidate could answer according to the teachings of his school, and receive credit for the proficiency shown. Hence, the development of this examination subject in the future will be gradual, but applicants must expect that this subject will be required to some extent.

Subsequent to an examination, the Board devotes a sufficient number of days to a consideration of the work done by each applicant, and in doubtful cases carefully reviews all the papers and other evidence submitted.

The law requires that the "examinations shall be wholly or in part in writing." It should be noted that this requirement does not preclude oral examinations in part, nor in part practical work in the laboratory, or other demonstrations of a practical character.

This Board is constantly trying to avoid making its examinations technical, except that there may be at times questions on chemistry of a practical character, which are a logical subdivision of other subjects. To this end the co-operation of the medical schools has been secured, and a part of each examination has been held in some one of the following medical schools in this city, which have been visited in rotation: Boston University School of Medicine, Tufts Medical College and Harvard University School of Medicine. The Board wishes to express its grateful appreciation of the courtesies extended by these institutions.

The conditions incident to the war have added materially to the work of this department, as all applicants for admission to the Officers Medical Reserve Corps or to the Medical Corps of the United States Army are required to present a certified statement of registration from the Medical Registration Board in the State from which they claim registration as valid evidence of such registration. This involves scrutiny of the record of each application of physicians claiming registration in Massachusetts, making out the required form, and in many instances mailing the same to the proper addresses. There have been over 1,200 of these certified statements issued from this department during the current year.

In addition to the work of issuing certified statements of registration, the requests from the war department for the registration of recent graduates have required special examinations for 31 applicants, in addition to the three required by law, and the two extra examinations in May and September. These were all graduates of reputable schools, and they were endorsed as desirable material for the Medical Reserve Corps of the Army or Navy, or of the United States Army or Navy. All were successful in securing registration.

It has been the policy of this Board to do its utmost in helping meet the demands of the military authorities, for it is well

known that the government has had to deal with a stupendous medical problem in providing qualified physicians for the various hospitals, camps and examining boards. While there are a great many well-qualified practitioners of medicine in this State, there were very few with any experience in dealing with military problems, and this Board has endeavored to assist in every way possible in facilitating the registration of desirable men, and furnishing all information possible relative to the record and standing of physicians already registered; it has also assisted in making a general survey of the medical resources of this State.

The Board has acted on evidence submitted tending to indicate criminal behavior, as shown in the following table:—

Cases.	HEARINGS ON COMPLAINTS AND PETITIONS.	Action.
1	Failing to report a case of ophthalmia neonatorum.	Placed on file pending future conduct.
2	Illegal prescribing of narcotic drugs, . . .	Registration canceled.
3	Certain irregularities while a medical student, which might debar the applicant admission to an examination.	Favorable, admitted to examination.
4	Illegal prescribing of narcotic drugs, . . .	Registration canceled.
5	Illegal prescribing of narcotic drugs, . . .	Placed on file pending future conduct.
6	Illegal practice (abortion), . . . . .	Final action pending.
7	Petition to be admitted to file application for examination. The applicant had been convicted of practicing medicine without registration.	Leniency exercised as applicant was a foreigner and did not understand the law; application accepted.
8	Appeal for recognition as a practitioner under provisions of the original law.	Not recognized; Board has no jurisdiction at present time.
9	Illegal prescribing of narcotic drugs, . . .	Placed on file pending future conduct.
10	Illegal prescribing of narcotic drugs, . . .	Placed on file pending future conduct.
11	Petition for reinstatement, . . . . .	No action.
12	Petition to permit a certain Chinese citizen to practice without registration.	No action; Board has no authority to consider authorizing illegal practice.
13	Petition for reinstatement as a registered physician.	Petition granted.
14	Petition for reinstatement as a registered physician.	Petition granted.
15	Petition for admission to an examination, .	Petition granted.
16	Complaint against two physicians accused of illegally certifying to the insanity of a patient.	No action; complaint withdrawn after presentation of evidence.
17	Hearing for physician charged with performing an abortion.	Action suspended as the accused could not be found; registration suspended at a later date.
18	Illegal dispensing of narcotic drugs, . . .	Registration suspended.
19	Physician convicted of having performed an abortion.	Placed on file on account of age and illness of accused, upon presentation of written agreement of accused to refrain from practice for all time.
20	Physician accused of gross and confirmed use of alcohol.	Registration canceled.
21	Accused of deceit and gross misconduct in the practice of medicine.	Unfinished, pending further investigation.



Cases.	HEARINGS ON COMPLAINTS AND PETITIONS.	Action.
22, 23	Illegal association with an unregistered practitioner.	Registration canceled in both cases.
24	Improper prescribing of alcohol, . . .	Registration suspended.
25	Charge of illegal abortion, . . .	No action on account of lack of jurisdiction.
26	Charge of immoral conduct in having performed an abortion.	Placed on file pending future conduct.
27	Physician convicted in Superior Court of performing an abortion.	Registration canceled.
28	Physician indicted for performing an abortion.	Registration suspended.
29	Petition of a physician for the privilege of applying for an examination, the same having been denied because of intemperance and false statements.	Petition denied.
30	Physician convicted of manslaughter, . . .	Registration suspended.
31	Petition of case No. 24 for reinstatement as a physician.	Petition granted.

In each of these cases painstaking investigation was made and decisions arrived at after careful consideration of all the facts, and also of the general reputation and attitude of the accused. Nearly all of these accused persons were represented by able counsel who zealously sought to protect the interests of the client. Whenever there has appeared to be any doubt of the guilt of a person brought before the Board, the decision has been in favor of the defendant.


The Board has long recognized the weakness of any law regulating the practice of medicine which does not require evidence of proper preliminary training. All advanced thinkers have become convinced that not only graduation from a medical school should be required, but also a certain degree of training in general subjects previous to entering upon a study of medicine.

Modern medicine is complex and built on the principles of various sciences, and no ordinary mind is sufficiently equipped to comprehend its more important fundamental problems without having been trained and developed through experience and study, hence most of our States require not only graduation from a medical school but also evidence of a somewhat broad, general education.

This Board has repeatedly presented these facts to the Legislature, but has thus far failed to secure endorsement of its recommendations along this line.

It is gratifying, however, to call attention to the provisions

of chapter 55 of the General Acts of 1917, which requires applicants for registration to show graduation from a medical school which gives a full four years' course of instruction of not less than thirty-six weeks in each year.

This amendment to the medical registration act is a distinct advance, and will ultimately result in improving the quality of applicants for registration. It is hoped that Massachusetts will not long continue to omit the requirement for a general education, which should be at least the equivalent of one year in a college of liberal arts, for even at the present time under the requirements of our law, some candidates demonstrate lamentable lack of knowledge of the English language, and inability to meet the examination requirements which are of no great severity. It has been the purpose of this Board not to require more than is estimated to be an average proficiency in medicine to secure registration, but when uniform higher standards are established through co-ordinate efforts of the various States, the general public will be greatly benefited. 

Other provisions of chapter 55 of the General Acts of 1917, and also of chapter 218 of the General Acts of 1917, have added to the power of this Board in dealing with fraud and other irregularities in connection with the practice of medicine. It is hoped that this State will continue to improve its laws to the end that the public may be still further protected from dishonest and incompetent practitioners.

The purpose of the provision of section 3 of chapter 55 of the General Acts of 1917, which required local registration by physicians with their city or town clerks, was misunderstood by many, and the necessity of complying with this law led to some criticism. Evidence has already accumulated showing the value of local registration, for it is now possible that the roving doctor can be traced, the persons who surreptitiously come into the State for a limited practice can be detected, and valuable evidence given to any one seeking information relative to a physician or his practice. This registration makes it also possible for local authorities to deal with newcomers immediately and to co-operate more efficiently with this Board.

Chapter 202 of the General Acts of 1917, requiring registration of chiropodists with this department, has added materially



to the work of this Board, but this responsibility has been cheerfully accepted as it appeared to meet a demonstrated need. Like every scheme for registration, it has developed some unexpected and annoying situations.

Many people desire to qualify under any new form of registration without being able to meet the legal requirements, and, when denied, feel aggrieved. Many others do not know of the passage of a law until it is too late to register under the exemption clause, and thus feel bitterly disappointed, and argue that there should have been some way in which they could have been notified.

This Board not only complied with the provisions of the law regarding notification to the public of its passage, but also consulted the local directories filed in the State Library, and mailed reprints of this law to each person listed as a chiropodist.

It has been discovered that many people engaged in chiropody also carried on the work of treatment of the hair, massage, manicuring, and other like kinds of work, and were listed not as chiropodists, but as conducting establishments for other kinds of service. Some of these people were eligible for registration under the exemption clause if their applications had been filed with the Board within the legal time limit, but, being without knowledge of the law, failed to apply. Some of these disappointed practitioners have applied to members of the Legislature for relief, and attempts may be made to amend the present law. Every attempt should be made in drafting any amendment to avoid any possibility of defeating the purpose of the law in seeking relief for those who might properly be considered.

For the purpose of carrying on the function of licensing chiropodists, the Board appointed a committee, as provided for in the law, consisting of Drs. S. H. Calderwood, N. R. Perkins and W. P. Bowers of the Board of Registration in Medicine, Mr. Harry P. Kenison of Boston and Mr. Gilbert N. Pettingill of Gloucester, the last two mentioned being known as reputable chiropodists and vouched for by the Massachusetts Association of Chiropodists.

This committee, which has met from time to time, examined all applications for registration as chiropodists, and voted to register 410 who appeared qualified for registration under sub-

division (1) of section 5 of chapter 202 of the Acts of 1917, and admitted to examination those qualified for the same under subdivision (2) of the same section, of whom 14 have been registered.

The examinations conducted have been both written and practical, occupying one day, the written work being done in the morning under the supervision of the whole committee, and the practical work in the afternoon under the supervision of Messrs. Kenison and Pettingill at the Middlesex College of Medicine and Surgery.

Only one person has applied for examination under subdivision (3) of section 5, and an examination will be held when a sufficient number have filed applications to make it expedient to conduct such an examination.

#### FINANCIAL STATEMENT OF CHIROPODY DEPARTMENT.

##### *Receipts.*

Chiropody fees received and paid into the treasury, . . .	\$4,455 00
---	------------

##### *Expenditures.*

Amount paid for maintenance of chiropody department, including salaries, . . . . .	1,055 11
Credit balance, . . . . .	\$3,399 89

For the year ending Nov. 30, 1918, the Board recommends an appropriation of \$300 for salaries of the Medical Board serving as members of the department of chiropody, \$300 for salaries of chiropodists appointed to assist in examination work, \$65 for traveling and incidental expenses of members of the Board and the chiropodists, \$515 for printing, postage, books, office supplies, etc., and \$375 for clerical services.

The development of the office work of the Boards of Registration in Medicine and Registration of Nurses, together with the department of chiropody, has resulted in unnecessary duplication of work and conflict in details.

Since the work of these three forms of registration is conducted in one office and under one executive officer, time and effort could be economized by having one appropriation for office supplies, clerical services and incidental office expenses

in one budget. This change would obviate the detailed accounts for postage, and various other small details which now hamper the work of the department in general. In an office of this kind, certain supplies must of necessity be common to all the departments involved, and should not be subdivided.

It is of course necessary that salaries and expenses of members of the various Boards should be in separate appropriations, but, aside from these items, it is recommended that office supplies and office expenses be met by an appropriation which shall cover all departments connected with this office, and likewise receipts, after deducting salaries and expenses of Board members, shall be considered as the revenue from the operation of the whole department.

This would relieve the yearly consideration of the detailed financial needs of these various departments, for all office expenses after being placed in their proper groups could be considered as covering such items as printing, postage, general office supplies, stationery, expressage, telephones, etc.

For several years accommodations have been provided for the Board of Registration in Medicine and the Board of Registration of Nurses, which are practically one department, in the New Albion Building, 1 Beacon Street. This provision for outside quarters has required an appropriation for rent, light, telephone service, etc., amounting to over \$1,400 annually. This expenditure for rent, etc., could be obviated by providing space in the State House, and would relieve this department, to a large extent, from the criticism of being a financial burden on the State. The present quarters are inadequate, and not well adapted to the work of these boards, and for the purpose of saving expense and adding to the efficiency of the department, this Board earnestly requests that arrangements be made as soon as possible for adequate accommodations in the State House.

The Board has held thirty-one meetings during the year, which have occupied the time of forty-one days. In addition to these forty-one days, the members of the Board have spent much time at home in examining and rating the written work submitted by the applicants in examinations.

The remuneration for the time devoted to the work of the Board by its members is ridiculously small, and cannot be



considered as in any degree an adequate compensation for men with important professional business interests. Every man connected with this Board contributes a service to the State for which he is insufficiently paid, and suffers definite loss in his income. This loss cannot be computed, for a physician's work is quite unlike that of other professions, and often cannot wait his convenience.

This service also endangers enmity, both from rejected applicants and from those irregular practitioners who regard the suspension or revocation of their right to practice as persecution. This opposition is sometimes acrimonious, and detracts from the pleasure of participating in public service.

All of these added activities of the department have required unusual expenditures in the way of office supplies, postage and emergency clerical assistance, for not only has the volume of output been increased, but the added cost of everything entering into the conduct of office business has made it impossible to keep within the appropriation for the various departments. This, however, was exceeded by only a small amount, and the deficit would have been larger but for the fact that some quite important things were dispensed with, for which provision should be made in the future.

If adequate appropriation cannot be made to meet the expenses of this department, on the ground that it is a valuable public service, which contention may be logically argued, provision should be made whereby to increase the revenue of the department. This provision can be made by increasing the medical registration fee from \$20 to \$25, which is the required fee in many of the States; charging a fee for certified statements of registration issued to registered physicians for the purpose of local registration, or for any other purpose for which such statements may be required; also a small additional fee for each re-examination. As more than 2,000 certified statements have been issued this year, Massachusetts should follow the custom of many other States by charging a fee of from \$1 to \$3 for the issuance of such statements. By the adoption of such measures, this Board can be made a means of greater revenue to the State. In a broad way it has never been a burden, for the earnings covering the years of its existence have exceeded its expenditures by several thousand dollars.

In order to meet the changes suggested, the Board recommends the amendment of section 3 of chapter 76 of the Revised Laws, and its amendments thereto, as follows:—

Section three of chapter seventy-six of the Revised Laws, as amended by chapter three hundred and forty-six of the acts of the year nineteen hundred and thirteen, and by chapter two hundred and ninety-three of the General Acts of the year nineteen hundred and fifteen, and by chapter fifty-five of the General Acts of the year nineteen hundred and seventeen, is hereby further amended by striking out the word "twenty", in the tenth line, and inserting in place thereof, the word:— twenty-five, — and by striking out the words "without payment of an additional fee", in the sixteenth line, and inserting in place thereof, the words:— upon payment of an additional fee of three dollars, — so as to read as follows:— *Section 3.* Applications for registration shall be made upon blanks to be furnished by the board, and shall be signed and sworn to by the applicants. Applicants for registration under this act, who shall furnish the board with satisfactory proof that they are twenty-one years of age or over, and of good moral character, and that they have received the degree of doctor of medicine, or its equivalent, from a legally chartered medical school having the power to confer degrees in medicine, which gives a full four years' course of instruction of not less than thirty-six weeks in each year, shall, upon the payment of a fee of twenty-five dollars, be examined, and if found qualified by four or more members, shall be registered as qualified physicians, and shall be entitled to certificates in testimony thereof signed by the chairman and secretary. An applicant who fails to pass an examination satisfactory to the board, and is therefore refused registration, shall be entitled within one year after such refusal to a re-examination at a meeting of the board called for the examination of applicants, upon payment of an additional fee of three dollars; but two such re-examinations shall exhaust his privilege under his original application. Said board, after hearing, may by unanimous vote revoke any certificate issued by it and cancel the registration of any physician who has been convicted of a felony or of any crime in the practice of his profession; or after hearing, may by unanimous vote revoke any certificate issued by it and cancel the registration of any physician, for a period not exceeding one year, who has been shown at such hearing to have been guilty of gross and confirmed use of alcohol in any of its forms while engaged in the practice of his profession, or of the use of narcotic drugs in any way other than for therapeutic purposes; or to have published, or caused to be published, or to have distributed or caused to be distributed, any literature contrary to the provisions of chapter three hundred and eighty-six of the acts of the year nineteen hundred and eight; or to have acted as principal or assistant in carrying on the practice of medicine by an unregistered person, or by any person who has been convicted of the illegal practice of medicine, or by any registered physician whose license has been revoked either permanently or temporarily, or to have aided or abetted in any attempt to secure



registration, either for himself or for another by fraud, or in connection with his practice, to have defrauded or attempted to defraud any person. The board may subsequently, but not earlier than one year thereafter, by a majority vote, reissue any certificate formerly issued by it or issue a new certificate, and register anew any physician whose certificate was revoked and whose registration was cancelled by the board. All fees received by the board shall, once in each month, be paid by its secretary into the treasury of the commonwealth. No person, who at the time of the passage of this act, is a matriculant in a legally chartered medical school having the power to confer degrees in medicine, shall be required to take a full four years' course of instruction in a medical school which gives a course of not less than thirty-six weeks in each year.

That part of the existing law which permits practitioners in towns or cities of adjoining States to practice in the border towns of this Commonwealth should be repealed, for although such provision may have been reasonable under conditions existing in the early history of medical registration, the necessity for such exemptions does not appear to exist at the present time.

There are at present a considerable number of physicians practicing among our people who have given no evidence to this Board of their qualifications so to do, and are competing with physicians registered under the laws of this Commonwealth.

This Board recommends an amendment to section 9 of chapter 76 of the Revised Laws, as follows:—

Section nine of chapter seventy-six of the Revised Laws, as amended by chapter five hundred and twenty-six of the acts of the year nineteen hundred and nine, is hereby further amended by striking out all of the words after the word "commonwealth", in the tenth line, down to and including the word "calls", in the fourteenth line, so as to read as follows:—*Section 9.* The provisions of the eight preceding sections shall not be held to discriminate against any particular school or system of medicine, to prohibit medical or surgical service in a case of emergency, or to prohibit the domestic administration of family remedies. They shall not apply to a commissioned medical officer of the United States army, navy or marine hospital service in the performance of his official duty; to a physician or surgeon from another state who is a legal practitioner in the state in which he resides, when in actual consultation with a legal practitioner of this commonwealth; to a physician authorized to practice medicine in another state, when he is called as the family physician to attend a person temporarily abiding in this commonwealth; nor to registered pharmacists in prescribing gratuitously, pharmacists, clairvoyants, or

persons practicing hypnotism, magnetic healing, mind cure, massage, Christian science or cosmopathic method of healing, if they do not violate any of the provisions of section eight.

AN ACT PROVIDING FOR THE PAYMENT OF CERTAIN FEES TO THE BOARD OF REGISTRATION IN MEDICINE AND THE BOARD OF REGISTRATION OF NURSES.

SECTION 1. Any person who applies to the board of registration in medicine, or to the board of registration of nurses, for a certified statement of his registration shall, upon making application for the same, pay to the board which issues the said certificate a fee of one dollar.

Any person who applies to the board of registration in medicine, or to the board of registration of nurses, for a certified statement setting forth the details of the result of his examination for registration by either of the said boards shall, upon making application for the said certificate, pay a fee of two dollars.

Any person who applies to the board of registration in medicine, or to the board of registration of nurses, for a certified statement relating to the registration of any person by either of the said boards, or to any material facts connected therewith, to be used as evidence shall, upon application for the said certified statement, pay to the board which issues the said statement a fee of one dollar.

SECTION 2. All fees received hereunder by the board of registration in medicine, or by the board of registration of nurses, shall once in each month be paid by the secretary into the treasury of the commonwealth.

The Board is under obligations to Mr. Arthur E. Keating of the State Police Force, who has assisted in securing evidence and preparing cases for prosecution before the courts.

The former custom of publishing in the annual report the law under which this Board operates has been abandoned by direction of the Supervisor of Administration, and reprints of the statutes and court decisions, also Certified Lists of Registered Physicians, may be obtained upon application.

Respectfully submitted,

SAMUEL H. CALDERWOOD, M.D., *Chairman.*

WALTER P. BOWERS, M.D., *Secretary.*

AUGUSTUS L. CHASE, M.D.

CHARLES H. COOK, M.D.

MICHAEL F. FALLON, M.D.

MATTHEW T. MAYES, D.O., M.D.

NATHANIEL R. PERKINS, M.D.

## APPENDIX.

## CHAPTER 55, GENERAL ACTS OF 1917.

## AN ACT RELATIVE TO THE REGISTRATION OF PHYSICIANS AND SURGEONS.

*Be it enacted, etc., as follows:*

SECTION 1. Section three of chapter seventy-six of the Revised Laws, as amended by chapter three hundred and forty-six of the acts of the year nineteen hundred and thirteen, and by section one of chapter two hundred and ninety-three of the General Acts of the year nineteen hundred and fifteen, is hereby further amended by inserting after the word "medicine", in the ninth line, the words: — which gives a full four years' course of instruction of not less than thirty-six weeks in each year, — by inserting after the word "profession", in the twenty-fourth line, the words: —; or after hearing, may by unanimous vote revoke any certificate issued by it and cancel the registration of any physician, for a period not exceeding one year, who has been shown at such hearing to have been guilty of gross and confirmed use of alcohol in any of its forms while engaged in the practice of his profession, or of the use of narcotic drugs in any way other than for therapeutic purposes; or to have published, or caused to be published, or to have distributed or caused to be distributed, any literature contrary to the provisions of chapter three hundred and eighty-six of the acts of the year nineteen hundred and eight; or to have acted as principal or assistant in carrying on the practice of medicine by an unregistered person, or by any person who has been convicted of the illegal practice of medicine, or by any registered physician whose license has been revoked either permanently or temporarily, or to have aided or abetted in any attempt to secure registration, either for himself or for another by fraud, or in connection with his practice, to have defrauded or attempted to defraud any person, — by striking out the word "unanimous", in the twenty-sixth line, and inserting in place thereof the word: — majority, — and by adding after the word "commonwealth", in the thirty-first line, the words: — No person, who at the time of the passage of this act, is a matriculant in a legally chartered medical school having the power to confer degrees in medicine, shall be required to take a full four years' course of instruction in a medical school which gives a course of not less than thirty-six weeks in each year, — so as to read as follows: — *Section 3.* Applications for registration shall be made upon blanks to be furnished by the board, and shall be signed and sworn to by the applicants. Applicants for registration under this act, who shall furnish the board with satisfactory proof that they are



twenty-one years of age or over, and of good moral character, and that they have received the degree of doctor of medicine, or its equivalent, from a legally chartered medical school having the power to confer degrees in medicine, which gives a full four years' course of instruction of not less than thirty-six weeks in each year, shall, upon the payment of a fee of twenty dollars, be examined, and if found qualified by four or more members, shall be registered as qualified physicians, and shall be entitled to certificates in testimony thereof signed by the chairman and secretary. An applicant who fails to pass an examination satisfactory to the board, and is therefore refused registration, shall be entitled within one year after such refusal to a re-examination at a meeting of the board called for the examination of applicants, without the payment of an additional fee; but two such re-examinations shall exhaust his privilege under his original application. Said board, after hearing, may by unanimous vote revoke any certificate issued by it and cancel the registration of any physician who has been convicted of a felony or of any crime in the practice of his profession; or after hearing may by unanimous vote revoke any certificate issued by it and cancel the registration of any physician, for a period not exceeding one year, who has been shown at such hearing to have been guilty of gross and confirmed use of alcohol in any of its forms while engaged in the practice of his profession, or of the use of narcotic drugs in any way other than for therapeutic purposes; or to have published, or caused to be published, or to have distributed, or caused to be distributed, any literature contrary to the provisions of chapter three hundred and eighty-six of the acts of the year nineteen hundred and eight; or to have acted as principal or assistant in carrying on the practice of medicine by an unregistered person, or by any person who has been convicted of the illegal practice of medicine, or by any registered physician whose license has been revoked either permanently or temporarily, or to have aided or abetted in any attempt to secure registration, either for himself or for another by fraud, or in connection with his practice, to have defrauded or attempted to defraud any person. The board may subsequently, but not earlier than one year thereafter, by a majority vote, reissue any certificate formerly issued by it or issue a new certificate, and register anew any physician whose certificate was revoked and whose registration was cancelled by the board. All fees received by the board shall, once in each month, be paid by its secretary into the treasury of the commonwealth. No person, who at the time of the passage of this act, is a matriculant in a legally chartered medical school having the power to confer degrees in medicine, shall be required to take a full four years' course of instruction in a medical school which gives a course of not less than thirty-six weeks in each year.

SECTION 2. Section eight of chapter seventy-six of the Revised Laws is hereby amended by inserting after the word "name", in the seventh line, the words:— or whoever practises or attempts to practise any fraud in connection with the filing of an application, or whoever files an application under a false or assumed name, or under a name other than his own, or

whoever personates or attempts to personate another applicant for registration, during an examination, — so as to read as follows: — *Section 8.* Whoever, not being lawfully authorized to practise medicine within this commonwealth and registered as aforesaid, holds himself out as a practitioner of medicine, or practises or attempts to practise medicine in any of its branches, or whoever practises medicine or surgery under a false or assumed name, or under a name other than that by which he is registered, or whoever personates another practitioner of a like or different name, or whoever practises or attempts to practise any fraud in connection with the filing of an application, or whoever files an application under a false, or assumed name, or under a name other than his own, or whoever personates or attempts to personate another applicant for registration, during an examination, shall, for each offence, be punished by a fine of not less than one hundred nor more than five hundred dollars or by imprisonment for three months, or by both such fine and imprisonment. In a case in which a provision of this or the preceding section has been violated, the person who committed the violation shall not recover compensation for services rendered.

SECTION 3. Chapter seventy-six of the Revised Laws is hereby amended by inserting after section nine the following new section, to be numbered 9 A: — *Section 9 A.* No person shall enter upon, or continue in, the practice of medicine within this commonwealth until he shall have presented his certificate of registration as a physician in this commonwealth, to the city or town clerk of the city or town where he has, or intends to have, an office or his usual place of business, and shall at the time of such presentation of said certificate, pay to the said city or town clerk a fee of twenty-five cents; and in a like manner, any physician residing in another state and legally qualified to practise therein, whose general practice extends into the border cities or towns of this commonwealth, and who is exempt from registration in this commonwealth under the provisions of section nine of chapter seventy-six of the Revised Laws, shall present his certificate of registration from the state in which he is registered to the city or town clerk of the border cities or towns in this commonwealth to which his practice extends. Upon receipt of a fee of twenty-five cents from the owner of a certificate, as herein provided, it shall be the duty of said city or town clerk to record the name of the owner of said certificate, together with the date of record, upon blanks approved by the board of registration in medicine, said blanks to be so arranged that a duplicate carbon copy shall be made at the time of the original record. The said city or town clerk shall keep the original record, which shall be open to inspection by the public, as a part of the records of his office, and shall, within twenty-four hours after making the same, forward the duplicate record to the office of the board of registration in medicine. Whoever practises or attempts to practise medicine in this commonwealth before submitting his certificate of registration to a city or town clerk as herein provided, or whoever submits to a city or town clerk a false or fraudulent certificate shall, for each



offence, be punished by a fine of not less than five nor more than one hundred dollars; and any clerk of a city or town who refuses or neglects to comply with the provisions of this section shall, for each offence, be punished by a fine of not less than five nor more than ten dollars. [*Approved March 10, 1917.*]

CHAPTER 218, GENERAL ACTS OF 1917.

AN ACT AUTHORIZING BOARDS OF REGISTRATION TO SUSPEND AND CANCEL CERTIFICATES OF REGISTRATION.

*Be it enacted, etc., as follows:*

SECTION 1. The boards of registration in medicine, dentistry, pharmacy and veterinary medicine, after a hearing, may, by a majority vote of the whole board, suspend, revoke or cancel any certificate, registration, license or authority issued by the board, if it appears to the board that the holder of such certificate, registration, license or authority, is insane, or is guilty of deceit, malpractice, gross misconduct in the practise of his profession, or of any offence against the laws of the commonwealth relating thereto. Any person whose certificate, registration, license or authority is suspended or revoked hereunder shall also be liable to such other punishment as may be provided by law. The different boards may make such rules and regulations as they deem proper for the filing of charges and the conduct of hearings.

SECTION 2. Any person against whom charges are filed may appear at the hearing thereof with witnesses and be heard by counsel. If a person against whom charges are filed has left the commonwealth, or cannot be found by reasonable search, notice of hearing may be dispensed with. Said boards shall have the same powers to summon witnesses to attend such hearings, and to swear the same, as are conferred upon city councils and other bodies by the provisions of section eight of chapter one hundred and seventy-five of the Revised Laws, and amendments thereof, and the provisions of said section, and of sections nine and ten, and amendments thereof, of said chapter, shall apply to witnesses summoned as aforesaid.

SECTION 3. The said boards shall not defer action upon any charge before them until the conviction of the person accused, nor shall the pendency of any charge before any of the said boards act as a continuance or ground for delay in a criminal action.

SECTION 4. The supreme judicial court may, upon petition of a person whose certificate, registration, license or authority has been suspended, revoked or cancelled, enter a decree revising or reversing the decision of the board, if it should appear that the decision was clearly wrong; but prior to the entry of such decree, no order shall be made or entered by the court to stay or supersede any suspension, revocation or cancellation of any such certificate, registration, license or authority.

SECTION 5. Whoever continues to practice medicine, dentistry, veterinary medicine or surgery, or pharmacy, after his license, registration,

certificate or authority so to do is suspended, cancelled or revoked, and while such disability continues, shall be punished by a fine of not more than one hundred dollars, or by imprisonment for not more than three months, or by both such fine and imprisonment. [Approved May 2, 1917.]

CHAPTER 202, GENERAL ACTS OF 1917.

AN ACT PROVIDING FOR THE REGISTRATION OF CHIROPODISTS BY THE  
BOARD OF REGISTRATION IN MEDICINE.

*Be it enacted, etc., as follows:*

SECTION 1. The word "chiropody" shall, for the purposes of this act, mean the external treatment of the structures of the human foot by medical, mechanical or surgical means without the use of anæsthetics other than local anæsthetics. But this act shall not apply to surgeons of the United States army, navy, or of the marine hospital service, nor to physicians duly registered under the provisions of chapter seventy-six of the Revised Laws, and acts in amendment thereof and in addition thereto.

SECTION 2. On and after the first day of October in the year nineteen hundred and seventeen, it shall be unlawful for any person to practise or attempt to practise chiropody in this commonwealth, or to hold himself out as a chiropodist, or to designate himself, or describe his occupation, by the use of any words or letters calculated to lead others to believe that he is a registered chiropodist, unless he is duly registered as provided in this act.

SECTION 3. Certificates of registration hereunder shall be granted by the board of registration in medicine which, in the examination of applicants, shall have the assistance of two chiropodists who shall have practised chiropody in this commonwealth for a period of not less than five years. They shall be appointed, and may be removed at any time, by the board, and shall act under its direction, and shall each receive in full compensation for his services, the sum of one hundred and fifty dollars a year. For their services under this act, the members of the board of registration in medicine who shall be designated by the board to act in the examination of applicants, shall each receive the sum of one hundred dollars a year; and the members of the board who act as aforesaid, and the two chiropodists who assist them, shall be allowed for their travelling expenses, necessarily incurred, such sums as may be approved by the governor and council. It shall be the duty of the said board to prepare and distribute forms of application for registration, certificates to be granted to the persons registered, and such other documents as may be necessary or convenient in carrying out the provisions of this act.

SECTION 4. Within thirty days after the passage of this act, the said board shall give notice of its provisions by publishing the same, or an abstract thereof, in one or more newspapers published in each county of the commonwealth. The board shall hold at least two examinations



annually, at such times and places as shall be designated by the board, and after due notice of the same by publication at least twice a week for three successive weeks in one or more newspapers published in the county in which the examination is to be held. The board may hold such other examinations as it may deem necessary or proper.

SECTION 5. Registration under this act shall be granted as follows:—

(1) Any chiropodist who shall furnish the board with satisfactory proof that he is twenty-one years of age or over, and of good moral character, who shall make application for registration on or before the first day of October, nineteen hundred and seventeen, and who proves to the satisfaction of the said board that he has been engaged in the practice of chiropody in this commonwealth for a period of two years or more next prior to the passage of this act, shall, upon the payment of a fee of ten dollars, be registered without examination, and shall receive a certificate as a chiropodist registered under this clause, signed by the chairman and secretary of the board.

(2) Any person who is engaged in the practice of chiropody in this commonwealth at the date of the passage of this act, but who has so been engaged for a period of less than two years next prior to the said date shall, upon furnishing the board with satisfactory proof that he is twenty-one years of age or over, and of good moral character, and upon the payment of a fee of fifteen dollars, be examined as provided in sections three and eight of this act, and if found qualified, shall be registered, and shall receive a certificate as a chiropodist registered under this clause, signed by the chairman and secretary.

(3) Any person not entitled to registration as aforesaid, who shall furnish the board with satisfactory proof that he is twenty-one years of age or over, and of good moral character, and that he has received a diploma or certificate from a reputable school of chiropody, or from some other institution of equal standing, having a minimum requirement of one year's course of at least eight months shall, upon payment of a fee of fifteen dollars, be examined as provided in sections three and eight of this act, and if found qualified, shall be registered, and shall receive a certificate as a chiropodist registered under this clause, signed by the chairman and secretary.

SECTION 6. An applicant for registration under the provisions of this act, who fails to pass an examination satisfactory to the board, shall, within one year, if not disqualified under the provisions of sections nine and ten, be entitled to a re-examination upon payment of a fee of two dollars; and in case of failure to pass the second examination, shall, within one year thereafter, if not disqualified as aforesaid, be entitled to a third examination upon payment of a fee of two dollars; but if he fails to pass the third examination, he shall not be entitled to any further examination without filing another application and paying a fee of fifteen dollars.

SECTION 7. Applications for registration shall be made upon blanks to be furnished by the board, and shall be signed and sworn to by the applicant. All certificates issued hereunder shall expire on the last day of the year in which they are granted, but upon payment of a fee of two dollars may be renewed by the said board for each subsequent year, without examination. All fees received hereunder shall, once in each month, be paid by the secretary of the board into the treasury of the commonwealth.

SECTION 8. Examinations for registration hereunder shall be in the English language, and shall be written, oral or clinical, or partly written, oral or clinical, as the board may determine. The examinations shall include and be limited to the subjects of the anatomy, physiology, diagnosis and treatment of the human foot, asepsis, therapeutics and clinical chiropody, and applicants shall not be required to have received a medical or surgical education except as specified in clause (3) of section five of this act. No applicant who is required to pass an examination hereunder shall be registered unless he obtains a general average of seventy-five per cent in the various subjects in which he is examined, and not less than fifty per cent in any one subject.

SECTION 9. It shall be the duty of the said board to refuse to issue a certificate to any person, and to revoke any certificate issued by it to any person who, in the opinion of a majority of the board, is intemperate in the use of alcoholic liquors or narcotic drugs, or who has been convicted of an offence involving moral turpitude, or who, in the opinion of the board, has been guilty of misconduct involving moral turpitude, or who has violated any provision of this act, or has been guilty of unprofessional conduct, or is in any other manner disqualified, morally, mentally or physically to receive a license hereunder, or who in his application for a license hereunder, knowingly makes any false statement or presents to the board a fraudulent diploma, certificate or other document.

SECTION 10. The term "unprofessional conduct", as used in this act, shall include: — (a) The wilful betrayal of a professional secret.

(b) Having professional connection with, or lending the use of one's name to an unregistered chiropodist, or having professional connection with any one who has been convicted in court of any offence involving moral turpitude.

(c) The selling or giving of any substance or compound containing alcohol or narcotic drugs for other than legal and legitimate purposes.

SECTION 11. The board may suspend any registration granted hereunder, for a period of not less than six months, because of any misconduct on the part of the person registered which would not, in the opinion of the board, justify the revocation of his registration.

SECTION 12. No registration hereunder shall be revoked or suspended without a hearing, if the person registered requests a hearing.

SECTION 13. The board shall investigate all complaints of violations of this act, and shall report to the proper prosecuting officers any such violation within its knowledge.

SECTION 14. Every person registered hereunder shall, before entering upon the practice of chiropody in this commonwealth, submit his certificate of registration to the clerk of the city or town in which he proposes to practise chiropody, and shall inform the clerk that he is the person designated therein, and shall pay to the clerk a fee of fifty cents. Thereupon, it shall be the duty of the city or town clerk to register his name and address, and the date and number of the certificate, and the said record shall be open to public inspection. A copy of every such registration shall be furnished by the city or town clerk within one week after it is made to the board of registration in medicine.

SECTION 15. The board of registration in medicine shall file with the auditor of the commonwealth, on or before November fifteenth of each year, a detailed estimate of its proposed expenditures under this act for the coming year. The expense of carrying out the provisions of this act, and all necessary expenses incurred thereby, shall be paid from an annual appropriation made therefor by the general court; but the expense shall not in any year exceed the amount received by the commonwealth for license fees hereunder during that year.

SECTION 16. Any person who shall obtain or attempt to obtain registration under this act by any false or fraudulent means, and any person who violates any provision of section two hereof, shall be punished by a fine of not less than one hundred nor more than five hundred dollars, or by imprisonment for not less than three months nor more than one year, or by both such fine and imprisonment. Any person who violates any provision of section fourteen hereof shall be punished by a fine of not less than three nor more than twenty dollars. [*Approved April 24, 1917.*]





